

To: NJ State Board of Education

From: Stan Karp, Director, Secondary Reform Project, Education Law Center

Re: High School Redesign Proposals

Date: September 17, 2008

Education Law Center supports the goal of preparing all students to succeed in school and beyond. This includes better preparation for college and careers, closing achievement gaps, improving high school graduation and college participation rates, and decreasing the number of dropouts. ELC agrees that to accomplish these goals we need a creative, robust secondary reform initiative, one that gives special attention to the particular needs of large, high-poverty urban high schools and to the different needs of NJ's increasingly diverse students and communities.

Unfortunately, the recommendations outlined last April in the NJ Steps report and the Commissioner's proposals to amend NJ's high school graduation requirements and the state assessment system move us in the wrong direction. Instead of promoting innovative and challenging opportunities for our best students and gap-closing supports for our most needy ones, the Commissioner has recommended a one-size-fits-all program of more state standards and tests that does not address the realities and challenges facing our secondary schools. Despite references to "personalized learning environments" and "student learning plans," the core of the proposal, adopted from the American Diploma Project sponsored by Achieve, Inc, a national group of business and political leaders far removed from the realities of K-12 public schools, is a largely conventional plan to ramp up traditional academic course work in a "one-size-fits-all" framework that will be difficult to impose and costly to implement.

The top down process through which this plan was developed has emphasized narrow conceptions of "rigor" over innovative approaches to reform and has not built the broad consensus needed to sustain the changes we need in our middle and high schools. Instead it has set the stage for a contentious debate over more high stakes testing, unfunded state mandates, persistent gaps in educational achievement and opportunity and a flawed policy-making process. This is not the common ground and bold new reform plan our secondary schools need and our students deserve. We urge the State Board to give new direction to this urgently needed initiative.

The Commissioner has proposed:

- Mandating a single set of required courses for all students, including Biology, Chemistry, Algebra I, Algebra II, Geometry and college prep English.
- Six new end-of-course "competency assessments" that are designed to become high stakes exit exams required to earn a high school diploma
- Phasing in these requirements over a period of six to eight years.

Besides the educational issues raised by such top-down standardization, the resource implications of these proposals are extensive. According to the latest NJDOE survey, less than 70% of all NJ districts currently require Biology, Geometry and Algebra I to graduate; less than 45% require Algebra II, and only 35% require Chemistry. The new school funding formula adopted last January does not provide the resources NJ districts need to meet the proposed new requirements. Prior to adoption of these proposed mandates, 383 of the state's 595 operating districts are already spending above the levels of the SFRA-imposed "adequacy budget." The Abbott districts in particular will face significant funding

shortfalls over the next several years, as flat funding under SFRA is further eroded by increased fixed costs.

The High School Redesign Committee's report notably acknowledged, "For some students, however, even the early phases of the NJ Steps implementation will be difficult. The extra supports required by these students...must be front and center of any efforts to raise expectations." Yet these supports are not evident in the Commissioner's proposals and there is no explanation of how the plan will help schools that are not meeting current standards meet higher ones.

The Commissioner says the Department's goal is "to create a process that allows schools and districts sufficient time to deliver the education that prepares students at all levels for these higher expectations." However the primary obstacle to meeting these mandates is not insufficient time but insufficient resources and capacity.

The costs of meeting the proposed mandates have not been credibly studied, and indeed are not even acknowledged in the Department's proposals. The NJ Steps report noted that we are already facing a shortage of qualified math, science, and special education teachers and "teacher attrition...is especially acute in low-performing, high poverty schools where experienced, expert teachers are most needed." Yet the economic impact statement accompanying the Commissioner's proposals for dramatically increased graduation standards declares: "While the proposed amendments will undoubtedly have further impact on the content of instructional programs for some students, there is no reason to anticipate that such curricular modifications would involve increased expenditures for school districts."

Hidden Costs

This is simply not credible. As the Center on Education Policy has noted in its report *Pay Now or Pay Later: The Hidden Cost of High School Exit Exams*, " (May 2004) there are many reasons to anticipate significantly increased expenditures. "The pervasive and mistaken impression is that exit exams provide nearly cost-free benefits. The evidence suggests otherwise. The full cost of implementing a system of exit exams includes additional local expenses for remediation and other 'hidden' costs that are necessary to give students a strong chance of passing the exams. These hidden costs include the extra costs of programs at all grades to prevent student failure, to raise student test scores, and to improve the skills of teachers who must prepare students to pass exit exams. While state policymakers may view exit exams as a low-cost way to raise student achievement, the extra costs—both apparent and hidden—are considerable. The true costs of an exit exam policy are often invisible to state policymakers, because the expenses are being borne mostly by local school districts—and often by shifting existing funds away from other educational priorities.

This does not include the costs of developing and administering six new standardized end-of-course exams plus corresponding "alternative high school assessment" instruments for each exam. Nor does it include the costs of providing adequate facilities for all students to successfully complete three years of laboratory science (Biology, Chemistry, and "one additional laboratory science course.")

In presenting these proposals, the Commissioner says, "the intent is to implement the assessments first and then to review the results and consider the impact on students, schools, and districts of possibly phasing out the traditional HSPA. These amendments do not include a proposed schedule for eliminating the HSPA in mathematics or language arts literacy." This is a welcome retreat from the

original plan, outlined in the NJ Steps report, to implement “phase one” end of course exams in Biology, Algebra I and English as high stakes tests required for graduation beginning with the entering freshman class in September 2008. However, this revised timeline appears to be a temporary delay necessitated by the daunting tasks and implications of proceeding down this path. Both the NJ Steps recommendations and the American Diploma Project are clearly committed to implementing multiple end-of-course exams (or “competency assessments”) as mandatory high school exit exams. The declared intention to attach “high stakes” to these exams is cause for special concern and has the potential to be extremely damaging to New Jersey’s schools and students. (Currently, New Jersey’s high school graduation rate according to *Education Week* is #2 in the nation. Neighboring New York State, which adopted a similar series of standards and tests several years ago, is number 40.)

ELC urges the Board to thoroughly explore the intended uses of the proposed assessments before proceeding with their development and implementation. End-of-course assessments that are collaboratively developed with practicing educators can be appropriate ways of moving assessment policy closer to schools and classrooms and supporting improved professional development and instructional practice. Making such assessments a percentage of course grades or including the results on student transcripts can help provide a more complete picture of student progress. However, rigidly mandating a single set of required courses defined by externally-imposed standardized exams would drive curriculum and instruction in now-familiar, counterproductive ways. It would reduce options for students and families and threaten effective vocational and themed-based alternative programs. It would also encourage narrow test-based curriculum and instruction that bores the brightest students and fails to engage or support struggling ones. Instead of encouraging innovation and “redesign,” such test-driven standardization would reduce the possibilities for developing the “multiple pathways” that NJ’s diverse student population needs to succeed.

Similarly, we believe that the proposed amendments limiting the ability of districts to develop their own local alternatives in place of standardized, vendor-created state assessments are ill-conceived. [“No such locally administered assessments shall preclude or exempt student participation in applicable statewide assessments at grades three through twelve.” N.J.A.C. 6A:8-5.1(a)2.] This is an unfortunate example of how the drive to standardize assessment policy from the top down can undermine the innovation required to promote creative reform at the district and school levels. In New York, for example, the provision for a waiver process exempting schools from some state-mandated assessments has allowed an innovative network of “performance consortium schools” to develop authentic, performance-based alternative assessment protocols, subject to appropriate external review and validation. These schools have proven especially successful at raising academic performance and college participation rates with representative groups of urban students of color, including special needs populations, over-age under-credited students, and English language learners. (See *Phi Delta Kappan*, January 2007.)

All students should have access to high quality curriculum and instruction and college level preparatory work. But it would be particularly inappropriate and unfair to attach high stakes for students to new tests before assessing the resources, staff, programs, and other “opportunity to learn” elements required to meet higher standards and ensuring that all students have adequate access to them.

In short, there are far better ways to build broad support for secondary reforms that we can all endorse than mandating a single set of traditional academic courses standardized by state tests. Here are some alternatives:

1. Expand “multiple pathways” to high school graduation that provide varied ways for students to demonstrate high levels of achievement while preparing for college and careers

Our secondary schools need resources and innovation far more than they need more standards and tests. We need a “high school redesign” effort that promotes theme-based programs, real-world partnerships with communities, families, employers, and colleges/universities, performance assessment alternatives to standardized testing, improved professional practice and support, and multiple pathways to success. We need special, targeted efforts in large, struggling comprehensive urban high schools to improve school climate, create smaller, more supportive learning environments for staff and students, and make sure that high expectations are linked to real opportunities to learn. These initiatives should be at the heart of secondary reform, not “appendages” to a plan defined by rigid standards and high stakes tests.

2. Identify the resource and capacity needs for meeting new standards before imposing new mandates.

The Center on Education Policy has produced a “checklist for state policymakers to conduct a quick budgeting exercise to begin to tally the costs of implementing an exit exam policy in their state.” The State Board and/or the New Jersey legislature should require a similar cost/impact study before allowing new mandates. This study should include the major facilities implications of requiring all students to complete multiple years of lab science, and the staff, recruitment and professional development implications of other recommendations. Such a study could contribute to the periodic review of the “cost of education” required by the new School Funding and Reform Act (SFRA).

3. Evaluate the impact of “Phase I” recommendations before adopting “Phase II and “Phase III.”

Despite much talk of “data driven reform,” there is little national or state research to support the claims being made for the proposed new policies. Through administrative regulation and State Board action the NJDOE has already begun implementing the “Phase I” recommendations outlined in NJ Steps. All freshmen entering in September 2008 must successfully complete Algebra I, Biology, and college prep English to graduate. NJDOE, which does not have a strong track record for implementing, sustaining, and evaluating secondary reform, should be required to document the impact and challenges of these “Phase I” requirements before further mandates are adopted.

4. Make any new end-of-course exams part of a student’s high school record, instead of a separate, “all or nothing” high stakes graduation test.

A student’s complete transcript, including high school grades, courses taken, credits accumulated, attendance, activities, and other requirements should be the basis for major decisions about high school graduation and post-secondary opportunities. End of course tests that make up part of course grades or provide supplemental assessments of student achievement can contribute to the full picture. But denying diplomas to students on the basis of a single test

score is educationally and professionally inappropriate. The individual and social costs of pushing thousands of students out of school far outweigh the unproven claims of higher achievement for those that remain.

5. *Do No Harm.*

New Jersey has many examples of successful approaches that should be preserved and expanded as components of “high school redesign,” not eliminated because they do not fit a new state mold. These include:

- Career and technical education programs that develop academic and technical skills and culminate in an industry assessment. These should be recognized as rigorous secondary programs. CTE students need the flexibility to pursue academic course requirements geared toward their chosen career pathway and sufficient time to achieve industry credentials
- Alternative and adult high school programs that give at-risk students a second chance at success and that must retain the flexibility to develop academic skills through individualized instruction and student-centered activities, along with assessments appropriate for this population
- Innovative approaches to curriculum that combine academic content with real-world activities, interests and tasks in creative and motivating ways and that may not fit neatly into standardized subject courses defined by standardized exams.

New Jersey needs a robust secondary reform effort that promotes excellence and equity while addressing both individual student needs and larger social goals. To create one will take open dialogue and innovative solutions that are as varied and diverse as the communities our schools serve.

In closing, we urge the Board to seek answers to the following questions before acting on the Commissioner’s proposals:

1. Where have the proposed graduation requirements been successfully implemented? What has been the documented impact on graduation and dropout rates?
2. What is the real cost of implementing these requirements?
 - a. What are the costs of developing & administering six new end-of-course exams?
 - b. What are the staff and professional development costs of mandating Biology, Chemistry, Alg. I & II and Geometry for all NJ graduates?
3. What is the projected impact of these requirements on NJ graduation and dropout rates?
4. What is the NJDOE’s plan to track and evaluate the impact of these proposals?
5. What is the NJDOE’s current capacity to support implementation of these recommendations?